

THOMAS G. SHAUGHNESSY
MAYOR

MICHAEL J. WOODWARD
CITY CLERK

MINUTES
BERWYN CITY COUNCIL
NOVEMBER 9, 2004

- 1) The regular meeting of the Berwyn City Council was called to order at 8:00 p.m. Upon the call of the roll, the following members responded present. Chapman, A. Bojovic, B. Bojovic, Pechota, Brocato, Fron, Lovero, Fortunato. Absent: none. Thereafter, the meeting was duly convened for further business.
- 2) The Pledge of Allegiance was recited and the Mayor called for a moment of silence for the betterment of the community, and for Andrew Michaud and for all veterans and military personnel overseas.
- 3) The open forum portion of the meeting was announced. A. Bojovic spoke of a memo issued by the Berwyn Police Department regarding ticket quotas.
- 4) The minutes of the Berwyn City Council meeting held on October 26, 2004, were submitted. Brocato made a motion, seconded by Lovero, to approve the minutes as presented. The motion carried by voice vote.
- 5) The Mayor submitted a communication requesting concurrence in the appointments of Blanca Gonzalez, 3644 East Avenue and Jose Gonzalez, 1330 Home Avenue, (non-related) as members of the Community Relations Commission. Lovero made a motion, seconded by Fortunato, to concur in the recommendation. The motion carried by the following roll call: Yeas: Chapman, A. Bojovic, B. Bojovic, Pechota, Brocato, Fron, Lovero, Fortunato. Nays: none.
- 6) Alderman B. Bojovic made a motion, seconded by A. Bojovic, to bring forth item H-8, as germane to a communication from Third Ward resident Dorothy Chiero, pertaining to parking hours on the 3100 block of Oak Park Avenue and to refer the matter to the Parking and Traffic Committee. The motion carried by voice vote.
- 7) The Zoning Board of Appeals submitted a Resolution pertaining to the Mylinh Tang property, 1408 Clarence Avenue for a variation to build a single family residence on a 25' lot. Fortunato made a motion, seconded by Lovero, to concur in the recommendation of the Zoning Board and deny said variance. The motion carried by the following roll call: Yeas: Chapman, A. Bojovic, B. Bojovic, Pechota, Brocato, Fron,

Lovero, Fortunato. Nays: none.

- 8) The Zoning Board of Appeals submitted a Resolution and Ordinance pertaining to the Parenti property, 6311 Roosevelt Road for a variance to operate a social club. Brocato made a motion, seconded by B. Bojovic, to defer the matter. The motion carried by voice vote.
- 9) A deferred communication was submitted by A. Bojovic questioning the information card sent to the general public by the City Clerk's office pertaining to the November 2, 2004, election. After discussion, A. Bojovic made a motion, seconded by B. Bojovic, to defer the matter. The motion was defeated by the following roll call: Yeas: Chapman, A. Bojovic, B. Bojovic, Fron. Nays: Pechota, Brocato, Lovero, Fortunato and Shaughnessy. Thereafter, the matter was referred to the Law Department by order of the Chair.
- 10) Alderman A. Bojovic submitted a communication requesting that the Public Works Director submit a plan to the Public Works Committee for implementation of a tree trimming/inspection program covering the entire city. After discussion, A. Bojovic made a motion, seconded by B. Bojovic, to refer the matter to the Public Works Committee. The motion carried by voice vote.
- 11) Alderman Pechota submitted a communication requesting "Restricted Permit Parking" on the 2200 block of Clarence Avenue, and for the Collector's office to issue (Zone 4-1 Decals) and to refer the matter to the Law Department for proper drafting of an ordinance. The motion carried by the following roll call: Yeas: Chapman, A.Bojovic, B. Bojovic, Pechota, Brocato, Fron, Lovero, Fortunato. Nays: none.
- 12) Alderman Pechota submitted a communication requesting "Residential Parking" for the 2200 block of Scoville Avenue. After discussion, Pechota withdrew the communication and would resubmit after discussing the matter with Alderman Brocato.
- 13) Alderman Lovero submitted the payroll report for November 9, 2004, in the total amount of \$652,638.75. Lovero made a motion, seconded by Chapman, to concur in the recommendation and approve for payment. The motion carried by the following roll call: Yeas: Chapman, A. Bojovic, B. Bojovic, Pechota, Brocato, Fron, Lovero, Fortunato. Nays: none.
- 14) Alderman Lovero submitted the Payables for November 9, 2004, in the total amount of \$1,246,289.82. Lovero made a motion, seconded by Chapman, to concur in the recommendation and approve for payment.

The motion carried by the following motion. Yeas: Chapman, Pechota, Brocato, Fron, Lovero, Fortunato. Nays: A. Bojovic, B. Bojovic.

- 15) Alderman B. Bojovic submitted a communication requesting a handicapped sign for Joseph Zajac, 6851 W. 30th Pl., due to his deteriorating condition. Thereafter, B. Bojovic made a motion, seconded by A. Bojovic, to concur in the recommendation and authorize the Public Works Department to install said sign. The motion carried by the following roll call: Yeas: Chapman, A. Bojovic, B. Bojovic, Pechota, Brocato, Fron, Lovero, Fortunato. Nays: none.
- 16) A deferred communication from the City Collector regarding an application from Global Parking Management pertaining to booting illegally parked vehicles was submitted. Lovero made a motion, seconded by B. Bojovic, to refer the matter to the Parking and Traffic Committee. The motion carried by voice vote.
- 17) The Law Department submitted a communication requesting adjournment to executive session for the purpose of discussing pending litigation. Pechota made a motion, seconded by A. Bojovic, to concur in the recommendation of the Committee of the Whole meeting held at tonight's closed session regarding case #04204436 and to authorize agreed payment. The motion carried by the following roll call: Yeas: Chapman, A. Bojovic, B. Bojovic, Pechota, Brocato, Fron, Lovero, Fortunato. Nays: none.
- 18) The Director of Public Works submitted a sample ordinance regarding Well Water Prohibited (Chapter 872 or Chapter 1048). Thereafter, B. Bojovic made a motion, seconded by Brocato, to refer the matter to the Law Department for drafting of an ordinance. The motion carried by voice vote.
- 19) The Director of Public Works submitted a communication informing council that the City of Chicago will raise the water rate 3%, effective January 1, 2005. Lovero made a motion, seconded by Chapman, to refer the matter to the Budget Committee. The motion carried by voice vote.
- 20) The Law Department submitted a Resolution entitled:

A RESOLUTION OF THE CITY OF BERWYN, COOK COUNTY, ILLINOIS AUTHORIZING INTERVENTION IN A PROCEEDING BEFORE THE STATE OF ILLINOIS PROPERTY TAX APPEAL BOARD

Chapman made a motion, seconded by A. Bojovic, to waive the reading. The motion carried by the following roll call: Yeas: Chapman, A. Bojovic, B. Bojovic, Pechota, Brocato, Fron, Lovero, Fortunato.

Thereafter Chapman made a motion, seconded by Pechota, to concur, adopt the Resolution as presented and authorize the appropriate corporate authorities to affix their signatures thereto. The motion carried by the following roll call: Yeas: Chapman, A. Bojovic, B. Bojovic, Pechota, Brocato, Fron, Lovero, Fortunato. Nays: none.

- 21) The Law Department submitted an ordinance entitled:

ORDINANCE TO PERMIT ONE-FAMILY DETACHED BUILDINGS, TWO-FAMILY BUILDINGS AND MULTIFAMILY BUILDING USES IN ALL COMMERCIAL ZONED DISTRICTS (C-1, C-2 AND C-3)

Lovero made a motion, seconded by Chapman, to refer the matter to the Public Hearing to be held on November 23, 2004, at 6:00 p.m. The motion carried by voice vote.

- 22) The Berwyn Police Department submitted a request for a handicapped sign for Andre Prowell, 3815 Scoville. A. Bojovic made a motion, seconded by Pechota, to defer the matter. The motion carried by voice vote.
- 23) The Berwyn Police Department submitted a request for a handicapped sign for Seguin Services, 3644 Elmwood. A. Bojovic made a motion, seconded by Chapman, to concur in the recommendation of the investigating officer and refer the matter to the Public Works Department for installation of said sign. The motion carried by the following roll call: Yeas: Chapman, A. Bojovic, B. Bojovic, Pechota, Brocato, Fron, Lovero, Fortunato. Nays: none.
- 24) The Berwyn Police Department submitted a request for a handicapped sign for Dora Castellanos, 6537 28th St. Pechota made a motion, seconded by A. Bojovic, to concur in the recommendation of the investigating officer and refer the matter to the Public Works Department for installation of said sign. The motion carried by the following roll call: Yeas: Chapman, A. Bojovic, B. Bojovic, Pechota, Brocato, Fron, Lovero, Fortunato. Nays: none.
- 25) The Berwyn Police Department submitted a request for a handicapped sign for Lois Dunne, 2715 Euclid Avenue. B. Bojovic made a motion,

seconded by Chapman, to overrule the recommendation of the investigating officer and direct the Public Works Department to install said sign. The motion carried by the following roll call: Yeas: Chapman, A. Bojovic, B. Bojovic, Pechota, Brocato, Fron, Lovero. Nays: Fortunato.

- 26) The Berwyn Police Department submitted a request for a handicapped sign for Ronald Holakovsky, 1522 Elmwood. Fron made a motion, seconded by Brocato, to concur in the recommendation of the investigating officer and deny said sign. The motion carried by voice vote.
- 27) The Budget Committee submitted a communication recommending that the 2004 annual Tax Levy be \$17,980,236.00 for 2004 representing a 0% increase in the Tax Levy. Lovero made a motion, seconded by Chapman, to concur in the recommendation and refer the matter to a Public Hearing to be held on December 7, 2004, at 6:00 p.m. and to authorize publication of same. The motion carried by the following roll call: Yeas: Chapman, A. Bojovic, B. Bojovic, Pechota, Brocato, Fron, Lovero, Fortunato. Nays: none.
- 28) The Director of Finance submitted a communication regarding Tax Anticipation Warrants. Lovero made a motion, seconded by Pechota, to accept the matter as informational. The motion carried by voice vote.
- 29) A deferred communication was submitted by the Berwyn Development Corporation regarding the South Berwyn/Depot District-Parking Structure. Chapman made a motion, seconded by A. Bojovic, to waive the reading. The motion carried by voice vote. Thereafter, Chapman made a motion, seconded by Lovero, to concur in the recommendation to initiate the application process to secure a Metra Grant, authorize the BDC to continue working with Walker Parking Consultants towards completion of the project, direct Bond Counsel to sell bonds necessary to construct the parking structure and to call for a Public Hearing on these issues for December 7, 2004, at 6:30 p.m. The motion carried by the following roll call: Yeas: Chapman, A. Bojovic, B. Bojovic, Pechota, Brocato, Fron, Lovero, Fortunato. Nays: none.
- 30) At this time, the Consent Agenda, items K-1 through K-3 were submitted.

K-1 Midwest Tower Partners, \$5,145.00 for site lease agreement

K-2 Building Dept.-Building Permits issued during October, 2004

K-3 City Collector-Business licenses issued during October, 2004

A. Bojovic made a motion, seconded by Chapman, to concur and accept the matters as informational. The motion carried by voice vote.

31. The Mayor announced the following:

- 1) Public Hearing as previously called on Tuesday, November 23, 2004, at 6:00 p.m. for Zoning Code changes.
- 2) Committee of the Whole on Tuesday, November 23, 2004 at 7:00 p.m. on referrals.
- 3) Public Hearing on Tuesday, December 7, 2004, at 6:00 p.m. on 2004 annual Tax Levy
- 4) Public Hearing on Tuesday, December 7, 2004, at 6:30 p.m. on Parking Structure

32) Alderman B. Bojovic announced a Parking and Traffic Committee meeting for Tuesday, December 7, 2004, at 5:00 p.m. on referrals.

33) There being no further business to come before the meeting, same was, after a motion by A. Bojovic, seconded by Pechota, adjourned at the hour of 8:50 p.m., by roll call vote.

Respectfully submitted,

Michael J. Woodward - City Clerk